

\_\_\_\_\_ BILL NO. \_\_\_\_\_

INTRODUCED BY \_\_\_\_\_  
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING MIDDLE AND HIGH SCHOOL DISTRICTS TO DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM IN SCHOOLS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 50-6-501, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 50-6-501, MCA, is amended to read:

**"50-6-501. Definitions.** As used in this part, unless the context indicates otherwise, the following definitions apply:

(1) "Automated external defibrillator" or "AED" means a medical device that:

(a) has received approval for marketing from the U.S. food and drug administration;

(b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and of determining, without intervention by an operator, whether defibrillation should be performed;

(c) upon determining that defibrillation should be performed, automatically charges and indicates that it is ready to deliver an electrical impulse to an individual's heart; and

(d) may be used by an operator of the device to deliver an electrical impulse to an individual's heart.

(2) "Department" means the department of public health and human services provided for in 2-15-2201.

(3) "Emergency medical service" means an emergency medical service as defined by 50-6-302.

(4) "Entity" means a public agency, department, office, board, or commission or other governmental organization or a private corporation, partnership, group, or business or other private organization.

(5) "High school" has the meaning provided in 20-6-501.

(6) "Middle school" means a school composed of grades 4 through 8 or any combination of grades 4 through 8 that has been accredited as a middle school under the provisions of 20-7-102.

~~(5)(7)~~ "Physician" means an individual licensed to practice medicine pursuant to Title 37, chapter 3, part 3.

~~(6)(8)~~ "Public safety answering point" means a communications facility operated on a 24-hour basis that

1 first receives 9-1-1 calls from persons in a 9-1-1 service area and that may, as appropriate, directly dispatch  
2 public or private safety services or transfer or relay 9-1-1 calls to appropriate public safety agencies."

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4 **NEW SECTION. Section 2. Middle schools and high schools -- automated external defibrillators**  
5 **program -- requirements.** (1) Each school district containing a middle school or high school shall develop and  
6 implement an automated external defibrillator program that meets the requirements of this part for each middle  
7 school and high school.

8 (2) The program required under this section requires the following components:  
9 (a) an automated external defibrillator must be provided onsite at each middle school or high school; and  
10 (b) an individual trained in the operation and use of an automated external defibrillator must be present  
11 at all athletic events sponsored by a middle school or high school.

12  
13 **NEW SECTION. Section 3. Duties of department -- rulemaking.** The department, in consultation with  
14 local emergency medical service providers, the superintendent of public instruction, and school districts shall  
15 adopt rules that:

16 (1) establish guidelines for periodic inspections and annual maintenance of the automated external  
17 defibrillators in middle schools and high schools; and

18 (2) assist school districts in carrying out the provisions of [section 2].

19  
20 **NEW SECTION. Section 4. Codification instruction.** [Sections 2 and 3] are intended to be codified  
21 as an integral part of Title 50, chapter 6, part 5, and the provisions of Title 50, chapter 6, part 5, apply to [sections  
22 2 and 3].

23  
24 **NEW SECTION. Section 5. Effective date.** [This act] is effective July 1, 2010.

25 - END -